



State of New Jersey
DEPARTMENT OF EDUCATION
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Adoption Level
March 1, 2017

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Governor

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TO: Members, State Board of Education

FROM: Kimberley Harrington
Acting Commissioner

SUBJECT: N.J.A.C. 6A:3, Controversies and Disputes
N.J.A.C. 6A:9, Professional Standards
N.J.A.C. 6A:11, Charter Schools
N.J.A.C. 6A:32, School District Operations

REASON FOR ACTION: Amendments and repeals

AUTHORITY: N.J.S.A. 18A:4-15

SUNSET DATE: April 23, 2017 -- N.J.A.C. 6A:3
November 12, 2020 -- N.J.A.C. 6A:9
November 5, 2021 -- N.J.A.C. 6A:11
January 16, 2022 -- N.J.A.C. 6A:32

Summary

As part of the Department of Education's (Department) mission to allow school districts to focus on better serving and educating New Jersey students, the Department proposes to repeal or amend several regulatory provisions that are either unnecessary or duplicative. This proposal further advances the goals of deregulation established in the September 2012 Education Transformation Task Force (ETTF) report, including the removal of duplicative regulations that distract school administrators and educators from the primary responsibility of student learning.

This proposal focuses on regulatory provisions that either restate rules that are stated elsewhere in Title 6A of Administrative Code or are outdated and no longer applicable to any regulated party. Removing the unnecessary provisions will streamline the Administrative Code and make it easier for school districts to review the regulatory requirements that are pertinent to teaching and learning.

The following summarizes the proposed rulemaking:

N.J.A.C. 6A:3, Controversies and Disputes

Subchapter 10. "Abbott" Appeals

N.J.A.C. 6A:3-10.1 Appeal of Department determinations

This section requires appeals of Department determinations to be made pursuant to the provisions of applicable rules or directives of the court and to proceed in accordance with the provisions of N.J.A.C. 6A:3-1, except as otherwise required by such rules or directives.

The Department proposes to repeal N.J.A.C. 6A:3-10.1 because Abbott appeals are no longer utilized by the Department and this rule simply restates the availability for school districts to challenge a Department determination pursuant to the procedures set forth in Chapter 3.

The Department also proposes to recodify N.J.A.C. 6A:3-11, Applications for Issuance of Facilities Bonds, 6A:3-12, Requests for Recording of Judgment, and 6A:3-13, Hearings Prior to Suspension or Revocation of School Bus Driver Endorsement Pursuant to N.J.S.A. 18A:39-28 et seq., as N.J.A.C. 6A:3-10 through 12, respectively.

N.J.A.C. 6A:9, Professional Standards

Subchapter 3. Professional Standards for Teachers and Professional Standards for School Leaders

N.J.A.C. 6A:9-3.4 Professional Standards for School Leaders

This section sets forth the Professional Standards for School Leaders, which is a set of standards that identifies the knowledge, skills, and dispositions that school leaders should exhibit.

The Department proposes to replace the standards with an incorporation by reference to the Professional Standards for Educational Leaders 2015 developed by the National Policy Board for Educational Administration (NPBEA). The State's current Professional Standards for School Leaders are based on the 1996 Interstate School Leaders Licensure Consortium (ISLLC) Professional Standards, which the State adopted in 2003. The proposed professional standards are based on the 2008 ISLLC Professional Standards for School Leaders developed by ISLLC. NPBEA acquired the ISLLC standards in 2015, and updated them under the name Professional Standards for Educational Leaders 2015.

Replacing the text of the professional standards with a reference to the NPBEA Professional Standards for Education Leaders will signify the State's desire to adopt the national standards as written and in full. The State Professional Learning Committee reviewed the revised standards and recommended the Department adopt the 2015 NPBEA standards as New Jersey's Professional Standards for School Leaders.

Expectations for educational leaders are dynamic and need to be periodically reviewed and revised by the State to incorporate new understandings. Much about the educational leadership role has changed since New Jersey adopted its current set of standards, and the revised 2015 standards are grounded in the most current knowledge based on research and practice. The revised standards reflect changing expectations for educational leaders, the complexity of the role, and a better understanding of the importance of the leader's role for improved and equitable student outcomes. The revised standards will guide leadership practice toward a holistic emphasis on learning outcomes and the conditions of community and caring that support

learning outcomes, and they will inform State policies on leadership preparation, licensing, induction, professional development, and evaluation.

The Department also proposes at N.J.A.C. 6A:9B-12.4(a)2 and 12.5(a)2, (k)2ii and 3, (l)3, and (m)2 to replace references to “N.J.A.C. 6A:9-3.4(a)1 through 6” with “N.J.A.C. 6A:9-3.4” to reflect the proposed change.

N.J.A.C. 6A:11, Charter Schools

Subchapter 4. Program Implementation

N.J.A.C. 6A:11-4.12 Equity in education

This section requires charter schools to comply with all applicable laws and regulations governing equity in education including, but not limited to: N.J.S.A. 18A:36-20 and 10:5-1 et seq.; N.J.A.C. 6A:7, Managing for Equality and Equity in Education; Titles VI and VII of the Civil Rights Act of 1964 at 42 U.S.C. §§ 2000d et seq. and 2000e et seq., respectively; Title IX of the Education Amendments of 1972 at 20 U.S.C. §§ 1681 et seq.; Section 504 of the Rehabilitation Act of 1973 at 29 U.S.C. § 792; the Americans with Disabilities Act of 1990 at 42 U.S.C. §§ 12101 et seq.; and the Individuals with Disabilities Education Act of 2004 at 20 U.S.C. §§ 1400 et seq., and 34 CFR 300 et seq.

The Department proposes to repeal N.J.A.C. 6A:11-4.12 as this requirement is duplicative. Charter schools are included in the scope of N.J.A.C. 6A:7, Managing for Equality and Equity in Education, and N.J.A.C. 6A:7-1.1, Purpose, contains the exact language as N.J.A.C. 6A:11-4.12.

N.J.A.C. 6A:11-4.13 Financial operations of a charter school

This section requires charter schools to be subject to the provisions of N.J.A.C. 6A:23A, Fiscal Accountability, Efficiency and Budgeting Procedures.

The Department proposes to repeal N.J.A.C. 6A:11-4.13 as this section is unnecessary. Charter schools are incorporated into specific subchapters of Chapter 23A, where applicable. In addition, Subchapter 22 of N.J.A.C. 6A:23A regulates the financial operations of charter schools and a specific cross-reference to the subchapter in N.J.A.C. 6A:11 is overly cumbersome.

The Department also proposes to recodify N.J.A.C. 6A:11-4.14, Charter school operations, as N.J.A.C. 6A:11-4.12.

N.J.A.C. 6A:32, School District Operations

Subchapter 11. Withdrawal from Regional School Districts

N.J.A.C. 6A:32-11.6 Staff tenure and seniority rights

This section states staff affected by the withdrawal of the school district are entitled to exercise tenure and seniority rights in accordance with *Staagard v. Contini et al.*, 97 N.J.A.R. 2d (EDU) 271, aff'd State Board, October 1, 1997, and *Allen et al. v. Board of Education of the Township of Clark, Union County*, decided by the Commissioner April 30, 2004, aff'd State Board, September 1, 2004.

The Department proposes to repeal N.J.A.C. 6A:32-11.6 because this rule restates the legal rights of staff members affected by a withdraw, which are already set forth in prior State Board of Education and Commissioner of Education decisions.

Subchapter 12. Student Behavior

N.J.A.C. 6A:32-12.2 Guidance and counseling

This section requires school districts to provide all students with a program of guidance and counseling services approved by the district board of education.

The Department proposes to repeal N.J.A.C. 6A:32-12.2 because this requirement is duplicative. The requirement for school districts to provide all students with a district board of education-approved program of guidance and counseling services is set forth at N.J.A.C. 6A:7-1.7(c), 6A:8-3.2, and 6A:19-3.4.

As the Department has provided a 60-day comment period on this notice of proposal, the notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules proposed for repeal and amendments apply to school districts and charter schools.

The social impact of the rules proposed for repeal and amendments will be positive as the proposal removes duplicative or unnecessary rules, which will streamline the Administrative Code and allow school districts and charter schools to focus on regulatory provisions that are relevant to improving teaching and learning.

Economic Impact

It is anticipated that there will be no economic impact to school districts or charter schools as a result of the rules proposed for repeal and amendments as they impose no new requirements on the school districts or charter schools. The rules proposed for repeal and amendments simply remove requirements that are duplicative and stated elsewhere in Title 6A of Administrative Code.

Federal Standards Statement

A Federal standards analysis is not required because the rules proposed for repeal and amendments are not subject to any Federal requirements or standards.

Jobs Impact

The rules proposed for repeal and amendments will not result in the generation or loss of jobs.

Agriculture Industry Impact

The rules proposed for repeal and amendments will have no impact on the agriculture industry.

Regulatory Flexibility Analysis

A regulatory flexibility analysis is not required because the rules proposed for repeal and amendments do not impose reporting, recordkeeping, or other compliance requirements on small businesses as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for repeal and amendments concern school districts and charter schools.

Housing Affordability Impact Analysis

The rules proposed for repeal and amendments will have an insignificant impact on the average affordability of housing in New Jersey. There is an extreme unlikelihood rules proposed for repeal and amendments would evoke a change in the average costs associated with housing because the rules proposed for repeal and amendments govern school district and charter school operations.

Smart Growth Development Impact Analysis

The rules proposed for repeal and amendments will have an insignificant impact on smart growth. There is an extreme unlikelihood the rules proposed for repeal and amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rules proposed for repeal and amendments govern school district and charter school operations.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

N.J.A.C. 6A:3, CONTROVERSIES AND DISPUTES

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[SUBCHAPTER 10. "ABBOTT" APPEALS

6A:3-10.1 Appeal of Department determinations]

SUBCHAPTER [11.]10. APPLICATIONS FOR ISSUANCE OF FACILITIES BONDS

6A:3-[11.1]**10.1** Application to issue bonds following defeated referenda

SUBCHAPTER [12.]11. REQUESTS FOR RECORDING OF JUDGMENT

6A:3-[12.1]**11.1** Recording of assessments on judgment docket of Superior Court

**SUBCHAPTER [13.]12. HEARINGS PRIOR TO SUSPENSION OR REVOCATION OF
SCHOOL BUS DRIVER ENDORSEMENT PURSUANT TO
N.J.S.A. 18A:39-28 ET SEQ.**

6A:3-[13.1]**12.1** Request for hearing upon notice of impending suspension or revocation

CHAPTER 3. CONTROVERSIES AND DISPUTES

[SUBCHAPTER 10. "ABBOTT" APPEALS]

[6A:3-10.1 Appeal of Department determinations]

[Appeals of Department determinations shall be made pursuant to the provisions of applicable rules or directives of the court and shall proceed in accordance with the provisions of N.J.A.C. 6A:3-1, except as otherwise required by such rules or directives.]

SUBCHAPTER [11.]10. APPLICATIONS FOR ISSUANCE OF FACILITIES BONDS

6A:3-[11.1]10.1 Application to issue bonds following defeated referenda

Applications for an order of the Commissioner authorizing the issuance of bonds without voter approval pursuant to N.J.S.A. 18A:7G-12 may be made, and shall proceed, in accordance with the provisions of N.J.A.C. 6A:26-3.7(i).

SUBCHAPTER [12.]11. REQUESTS FOR RECORDING OF JUDGMENT

6A:3-[12.1]11.1 Recording of assessments on judgment docket of Superior Court

- (a) Where the Commissioner has, in a final decision in a contested case, assessed a fixed amount of money against a non-prevailing party, the party(ies) to whom relief was awarded may request the Commissioner to issue an order notifying the Clerk of the

Superior Court that the final order of assessment is subject to recording on the judgment docket of the court pursuant to N.J.S.A. 2A:58-10.

(b) Requests to the Commissioner pursuant to (a) above shall be made by letter to the Commissioner c/o the Director, Bureau of Controversies and Disputes, New Jersey State Department of Education, 100 River View Plaza, PO Box 500, Trenton, New Jersey 08625-0500. Such letter shall indicate how much, if any, of the assessment has already been satisfied; and shall be accompanied by proof of service on each other party and a copy of the Commissioner's decision ordering the assessment.

1. Upon the Department's receipt of a conforming letter of request, the non-prevailing party shall be afforded an opportunity to provide reasons why the Commissioner should not seek recording of the judgment. Such reasons may not dispute the fact that monies are owed or the amount of such monies as reflected in the final order of assessment, but shall be limited to claims of error in the amount of judgment sought, for example, because payments have been made that the letter of request does not reflect.

SUBCHAPTER [13.]12. HEARINGS PRIOR TO SUSPENSION OR REVOCATION OF SCHOOL BUS DRIVER ENDORSEMENT PURSUANT TO N.J.S.A. 18A:39-28 ET SEQ.

6A:3-[13.1]12.2 Request for hearing upon notice of impending suspension or revocation

(a) Where a school bus driver has been notified by the Department's Criminal History Review Unit that a determination has been made that suspension or revocation, as the case may be, of the driver's school bus endorsement is warranted pursuant to N.J.S.A. 18A:39-28 et seq. because a child was left on the school bus to which the driver was assigned notwithstanding the driver's obligation to conduct a visual inspection at the end

of the transportation route to assure that no pupil is left on the bus, the driver may contest such determination through the filing of a petition of appeal according to the procedures set forth in N.J.A.C. 6A:3-1.

1. Such petition shall be filed within 10 business days of the date of the Department's written notice to petitioner of such determination.
 2. In addition to the service requirements of N.J.A.C. 6A:3-1.3(a) and (j), such petition shall additionally be served on the Department c/o Manager, Criminal History Review Unit, New Jersey State Department of Education, PO Box 500, Trenton, New Jersey 08625-0500.
- (b) The following aspects of the Department's determination may be contested:
1. That a pupil was left on the bus at the end of the driver's route;
 2. That the incident in question was the driver's second offense;
 3. That the pupil was harmed as a result of foreseeable danger; and
 4. That the driver acted with gross negligence.
- (c) Where no petition is filed within the requisite time frame, or where a petitioner does not prevail before the Commissioner in demonstrating that the Department's determination was in error, the Department's Criminal History Review Unit will:
1. Notify the Motor Vehicle Commission of its obligation pursuant to N.J.S.A. 18A:39-28 et seq. to suspend or revoke, as the case may be, the driver's school bus endorsement; and
 2. Notify the driver's employer that the driver is ineligible, for the period of suspension or permanently, as the case may be, for continued employment as a school bus driver.

N.J.A.C. 6A:9, PROFESSIONAL STANDARDS

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CHAPTER 9. PROFESSIONAL STANDARDS

SUBCHAPTER 3. PROFESSIONAL STANDARDS FOR TEACHERS AND PROFESSIONAL STANDARDS FOR SCHOOL LEADERS

6A:9-3.4 Professional Standards for School Leaders

[(a)] School leader preparation, district induction, and professional development programs shall align their learning opportunities with the [following standards:] **Professional Standards for Educational Leaders 2015, developed by the National Policy Board for Educational Administration (NPBEA), incorporated herein by reference, available at <http://www.npbea.org/wp/wp-content/uploads/2014/11/ProfessionalStandardsforEducationalLeaders2015forNPBEAFINAL-2.pdf>.**

- [1. Standard One: School administrators shall be educational leaders who promote the success of all students by facilitating the development, articulation, implementation and stewardship of a vision of learning that is shared and supported by the school community.
 - i. Administrators have knowledge and understanding of:
 - (1) Learning goals in a pluralistic society;
 - (2) The principles of developing and implementing strategic plans;
 - (3) Systems theory;
 - (4) Information sources, data collection and data analysis strategies;
 - (5) Effective communication; and
 - (6) Effective consensus-building and negotiation skills.
 - ii. Administrators believe in, value and are committed to:

- (1) The educability of all;
- (2) A school vision of high standards of learning;
- (3) Continuous school improvement;
- (4) The inclusion of all members of the school community;
- (5) Ensuring that students have the knowledge, skills and values needed to become successful adults;
- (6) A willingness to continuously examine one's own assumptions, beliefs and practices; and
- (7) Doing the work required for high levels of personal and organization performance.

iii. Administrators facilitate processes and engage in activities ensuring that:

- (1) The vision and mission of the school are effectively communicated to staff, parents, students and community members;
- (2) The vision and mission are communicated through the use of symbols, ceremonies, stories and similar activities;
- (3) The core beliefs of the school vision are modeled for all stakeholders;
- (4) The vision is developed with and among stakeholders;
- (5) The contributions of school community members to the realization of the vision are recognized and celebrated;
- (6) Progress toward the vision and mission is communicated to all stakeholders;
- (7) The school community is involved in school improvement efforts;
- (8) The vision shapes the educational programs, plans and actions;
- (9) An implementation plan is developed in which objectives and strategies to achieve the vision and goals are clearly articulated;

- (10) Assessment data related to student learning are used to develop the school vision and goals;
- (11) Relevant demographic data pertaining to students and their families are used in developing the school mission and goals;
- (12) Barriers to achieving the vision are identified, clarified and addressed;
- (13) Needed resources are sought and obtained to support the implementation of the school mission and goals;
- (14) Existing resources are used in support of the school vision and goals; and
- (15) The vision, mission and implementation plans are regularly monitored, evaluated, and revised.

2. Standard Two: School administrators shall be educational leaders who promote the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

i. Administrators have knowledge and understanding of:

- (1) Student growth and development;
- (2) Applied learning theories;
- (3) Applied motivational theories;
- (4) Curriculum design, implementation, evaluation and refinement;
- (5) Principles of effective instruction;
- (6) Measurement, evaluation and assessment strategies;
- (7) Diversity and its meaning for educational programs;
- (8) Adult learning and professional development models;
- (9) The change process for systems, organizations and individuals;

- (10) The role of technology in promoting student learning and professional growth; and
 - (11) School cultures.
- ii. Administrators believe in, value and are committed to:
- (1) Student learning as the fundamental purpose of schooling;
 - (2) The proposition that all students can learn;
 - (3) The variety of ways in which students can learn;
 - (4) Life-long learning for self and others;
 - (5) Professional development as an integral part of school improvement;
 - (6) The benefits that diversity brings to the school community;
 - (7) A safe and supportive learning environment; and
 - (8) Preparing students to be contributing members of society.
- iii. Administrators facilitate processes and engage in activities ensuring that:
- (1) All individuals are treated with fairness, dignity and respect;
 - (2) Professional development promotes a focus on student learning consistent with the school vision and goals;
 - (3) Students and staff feel valued and important;
 - (4) The responsibilities and contributions of each individual are acknowledged;
 - (5) Barriers to student learning are identified, clarified and addressed;
 - (6) Diversity is considered in developing learning experiences;
 - (7) Life-long learning is encouraged and modeled;
 - (8) There is a culture of high expectations for self, student and staff performance;
 - (9) Technologies are used in teaching and learning;

- (10) Student and staff accomplishments are recognized and celebrated;
- (11) Multiple opportunities to learn are available to all students;
- (12) The school is organized and aligned for success;
- (13) Curricular, co-curricular and extra-curricular programs are designed, implemented, evaluated and refined;
- (14) Curriculum decisions are based on research, expertise of teachers and the recommendations of learned societies;
- (15) The school culture and climate are assessed on a regular basis;
- (16) A variety of sources of information is used to make decisions;
- (17) Student learning is assessed using a variety of techniques;
- (18) Multiple sources of information regarding performance are used by staff and students;
- (19) A variety of supervisory and evaluation models is employed; and
- (20) Pupil personnel programs are developed to meet the needs of students and their families.

3. Standard Three: School administrators shall be educational leaders who promote the success of all students by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment.

i. Administrators have knowledge and understanding of:

- (1) Theories and models of organizations and the principles of organizational development;
- (2) Operational procedures at the school and district level;
- (3) Principles and issues relating to school safety and security;
- (4) Human resources management and development;
- (5) Principles and issues relating to fiscal operations of school management;

- (6) Principles and issues relating to school facilities and use of space;
 - (7) Legal issues impacting school operations; and
 - (8) Current technologies that support management functions.
- ii. Administrators believe in, value and are committed to:
- (1) Making management decisions to enhance learning and teaching;
 - (2) Taking risks to improve schools;
 - (3) Trusting people and their judgments;
 - (4) Accepting responsibility;
 - (5) High-quality standards, expectations and performances;
 - (6) Involving stakeholders in management processes; and
 - (7) A safe environment.
- iii. Administrators facilitate processes and engage in activities ensuring that:
- (1) Knowledge of learning, teaching and student development is used to inform management decisions;
 - (2) Operational procedures are designed and managed to maximize opportunities for successful learning;
 - (3) Emerging trends are recognized, studied and applied as appropriate;
 - (4) Operational plans and procedures to achieve the vision and goals of the school are in place;
 - (5) Collective bargaining and other contractual agreements related to the school are effectively managed;
 - (6) The school plant, equipment and support systems operate safely, efficiently and effectively;
 - (7) Time is managed to maximize attainment of organizational goals;
 - (8) Potential problems and opportunities are identified;

- (9) Problems are confronted and resolved in a timely manner;
- (10) Financial, human and material resources are aligned to the goals of schools;
- (11) The school acts entrepreneurially to support continuous improvement;
- (12) Organizational systems are regularly monitored and modified as needed;
- (13) Stakeholders are involved in decisions affecting schools;
- (14) Responsibility is shared to maximize ownership and accountability;
- (15) Effective problem-framing and problem-solving skills are used;
- (16) Effective conflict resolution skills are used;
- (17) Effective group-process and consensus-building skills are used;
- (18) Effective communication skills are used;
- (19) A safe, clean and aesthetically pleasing school environment is created and maintained;
- (20) Human resource functions support the attainment of school goals; and
- (21) Confidentiality and privacy of school records are maintained.

4. Standard Four: School administrators shall be educational leaders who promote the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

i. Administrators have knowledge and understanding of:

- (1) Emerging issues and trends that potentially impact the school community;

- (2) The conditions and dynamics of the diverse school community;
 - (3) Community resources;
 - (4) Community relations and marketing strategies and processes; and
 - (5) Successful models of school, family, business, community, government and higher education partnerships.
- ii. Administrators believe in, value and are committed to:
- (1) Schools operating as an integral part of the larger community;
 - (2) Collaboration and communication with families;
 - (3) Involvement of families and other stakeholders in school decision-making processes;
 - (4) The proposition that diversity enriches the school;
 - (5) Families as partners in the education of their children;
 - (6) The proposition that families have the best interests of their children in mind;
 - (7) Resources of the family and community needing to be brought to bear on the education of students; and
 - (8) An informed public.
- iii. Administrators facilitate processes and engage in activities ensuring that:
- (1) High visibility, active involvement and communication with the larger community is a priority;
 - (2) Relationships with community leaders are identified and nurtured;
 - (3) Information about family and community concerns, expectations and needs is used regularly;
 - (4) There is outreach to different business, religious, political and service agencies and organizations;

- (5) Credence is given to individuals and groups whose values and opinions may conflict;
- (6) The school and community serve one another as resources;
- (7) Available community resources are secured to help the school solve problems and achieve goals;
- (8) Partnerships are established with area businesses, institutions of higher education and community groups to strengthen programs and support school goals;
- (9) Community youth family services are integrated with school programs;
- (10) Community stakeholders are treated equitably;
- (11) Diversity is recognized and valued;
- (12) Effective media relations are developed and maintained;
- (13) A comprehensive program of community relations is established;
- (14) Public resources and funds are used appropriately and wisely;
- (15) Community collaboration is modeled for staff; and
- (16) Opportunities for staff to develop collaborative skills are provided.

5. Standard Five: School administrators shall be educational leaders who promote the success of all students by acting with integrity, fairness and in an ethical manner.

i. Administrators have knowledge and understanding of:

- (1) The purpose of education and the role of leadership in modern society;
- (2) Various ethical frameworks and perspectives on ethics;
- (3) The values of the diverse school community;
- (4) Professional codes of ethics; and

- (5) The philosophy and history of education.
- ii. Administrators believe in, value and are committed to:
- (1) The ideal of the common good;
 - (2) The principles in the Bill of Rights;
 - (3) The right of every student to a free, quality education;
 - (4) Bringing ethical principles to the decision-making process;
 - (5) Subordinating one's own interest to the good of the school community;
 - (6) Accepting the consequences for upholding one's principles and actions;
 - (7) Using the influence of one's office constructively and productively in the service of all students and their families; and
 - (8) Development of a caring school community.
- iii. Administrators facilitate processes and engage in activities ensuring that they:
- (1) Examine personal and professional values;
 - (2) Demonstrate a personal and professional code of ethics;
 - (3) Demonstrate values, beliefs and attitudes that inspire others to higher levels of performance;
 - (4) Serve as role models;
 - (5) Accept responsibility for school operations;
 - (6) Consider the impact of their administrative practices on others;
 - (7) Use the influence of the office to enhance the educational program rather than for personal gain;
 - (8) Treat people fairly, equitably and with dignity and respect;
 - (9) Protect the rights and confidentiality of students and staff;

- (10) Demonstrate appreciation for and sensitivity to the diversity in the school community;
 - (11) Recognize and respect the legitimate authority of others;
 - (12) Examine and consider the prevailing values of the diverse school community;
 - (13) Expect that others in the school community will demonstrate integrity and exercise ethical behavior;
 - (14) Open the school to public scrutiny;
 - (15) Fulfill legal and contractual obligations; and
 - (16) Apply laws and procedures fairly, wisely and considerately.
6. Standard Six: School administrators shall be educational leaders who promote the success of all students by understanding, responding to and influencing the larger political, social, economic, legal and cultural context.
- i. Administrators have knowledge and understanding of:
 - (1) Principles of representative governance that undergrid the system of American schools;
 - (2) The role of public education in developing and renewing a democratic society and an economically productive nation;
 - (3) The law as related to education and schooling;
 - (4) The political, social, cultural and economic systems and processes that impact schools;
 - (5) Models and strategies of change and conflict resolution as political, social, cultural and economic contexts of schooling;
 - (6) Global issues and forces affecting teaching and learning;
 - (7) The dynamics of policy development and advocacy under our democratic political system; and

- (8) The importance of diversity and equity in a democratic society.
- ii. Administrators believe in, value and are committed to:
- (1) Education as a key to opportunity and social mobility;
 - (2) Recognizing a variety of ideas, values and cultures;
 - (3) Importance of a continuing dialogue with other decision makers affecting education;
 - (4) Actively participating in the political and policy-making context in the service of education; and
 - (5) Using legal systems to protect student rights and improve student opportunities.
- iii. Administrators facilitate processes and engage in activities ensuring that:
- (1) The environment in which schools operate is influenced on behalf of students and their families;
 - (2) Communication occurs among the school community concerning trends, issues and potential changes in the environment in which schools operate;
 - (3) There is ongoing dialogue with representatives of diverse community groups;
 - (4) The school community works within the framework of policies, laws and regulations enacted by local, State and Federal authorities;
 - (5) Public policy is shaped to provide quality education for students; and
 - (6) Lines of communication are developed with decision makers outside the school community.]

N.J.A.C. 6A:9B, STATE BOARD OF EXAMINERS AND CERTIFICATION

SUBCHAPTER 12. REQUIREMENTS FOR ADMINISTRATIVE CERTIFICATION

6A:9B-12.4 School administrator

6A:9B-12.5 Principal

CHAPTER 9B, STATE BOARD OF EXAMINERS AND CERTIFICATION

6A:9B-12.4 School administrator

- (a) To be eligible for the school administrator CE, the candidate shall:
1. Complete one of the following:
 - i. Hold a master's or higher degree in educational leadership, curriculum and instruction, or one of the recognized fields of leadership or management from a regionally accredited college or university;
 - ii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program resulting in a CEAS in educational administration and supervision;
 - iii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program in a coherent sequence of 30 semester-hour credits as they appear on the institution's transcript. The study must be completed at one institution in fields outlined in (a)1i above;
 - iv. Hold a master's degree from a regionally accredited college or university and complete a Commissioner-approved certification program in educational leadership offered by a Commissioner-approved provider pursuant to N.J.A.C. 6A:9B-12.5(k)2 and (l)2; or
 - v. Hold a master's degree in educational leadership from a nationally accredited program at an out-of-State college or university;
 2. Complete a minimum of 30 graduate credits, either within the master's program or in addition to it, in the following quality components of preparation to promote

student learning as set forth in the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4[(a)1 through 6];

3. Complete a 150-hour internship in educational leadership aligned to the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4 and in accordance with the roles and responsibilities as a school administrator, independent of other course requirements. This internship either must appear on a transcript from a four-year regionally accredited college or university or must be certified by a Commissioner-approved program for preparing school administrators;
 4. Pass a State-approved examination of knowledge acquired through study of the topics listed in (a)2 above, aligned with the Professional Standards for School Leaders, and most directly related to the functions of superintendents as defined in N.J.A.C. 6A:9B-12.3(a); and
 5. Complete five years of successful educational experience in a school district, nonpublic school, or a regionally accredited college or university.
- (b) A candidate who matriculates and enrolls in a Commissioner-approved educational leadership preparation program on or after September 1, 2008, shall be required to complete all requirements of (a) above.
- (c) To be eligible for a provisional school administrator's endorsement, the candidate shall:
1. Hold a school administrator CE; and
 2. Obtain and accept an offer of employment in a position requiring the school administrator certificate in a school district that has agreed formally to sponsor the residency.
- (d) The effective date of provisional certificate issuance shall be the date on which the CE holder begins employment with the district board of education in a certificated position in accordance with N.J.S.A. 18A:26-2 and 18A:27-4a.

(e) To be eligible for the standard administrative certificate with a school administrator endorsement, the candidate shall:

1. Possess a provisional certificate pursuant to (a) and (b) above; and
2. Complete a one-year Commissioner-approved residency program while employed under provisional certification in a school or school district. The residency may be extended for medical or family leave if agreed upon by the Department and the employing school or school district. However, the Commissioner is authorized to reduce or remove the residency requirement based on the candidate's prior experience. The Commissioner-approved program provider selected by the candidate shall implement the residency program, which shall:
 - i. Take place in a functioning school or school district;
 - ii. Provide professional experiences, training, mentoring, instruction, and opportunities to network with other candidates and experienced school administrators, and develop the candidate's thorough understanding of the NJSLS; the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3; and the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4;
 - iii. Ensure the employing school or school district, the candidate, the residency mentor, and the provider enter into a standard Department-issued agreement prior to the candidate starting the residency program;
 - iv. Provide a State-approved mentor who meets the requirements in (f) below and who shall:
 - (1) Provide support based on an individualized mentoring plan, which takes the place of the individualized professional development plan during the residency period and is developed collaboratively by the mentor, the candidate, and the candidate's supervisor;

- (2) Supervise and verify the candidate's completion of all required experiences and training;
- (3) Meet with the candidate at least once a month during the residency.
The mentor shall be available on a regular basis to provide assistance or advice upon the candidate's request;
- (4) Provide confidential guidance and support;
- (5) Guide the candidate through a self-assessment based on the Professional Standards for School Leaders; and
- (6) Assist the candidate in developing the required individual professional development plan for the school year following the residency period; and

v. Ensure the individualized mentoring plan is based on the candidate's preparation, past work experience, and the unique leadership demands of the employing school or school district. Support for the candidate in the following areas shall be considered in developing the individualized plan: school or school district planning and policy formulation; district board of education operations and relations, if applicable; supervision of schoolwide or districtwide programs of curriculum, instruction, and student services; collegial management, participatory decision-making, and professional governance; the roles, supervision, and evaluation of central office staff and school principals; school or school district financial, legal, and business operations; management of district operations; school facilities; labor relations and collective bargaining; government and community relations; and school law.

(f) The State-approved mentor from the program provider shall have a minimum of three years' experience as an effective school administrator and shall have been engaged in

New Jersey public schools for at least three of the last five years. Prior to mentoring a candidate, the mentor shall complete a State-approved mentor training program.

- (g) Each candidate for the standard administrative certificate with a school administrator endorsement shall be evaluated formally by the mentor on at least three occasions for purposes of certification. The first two evaluations shall be conducted mainly for diagnostic purposes. The final evaluation shall be the basis for issuance of the candidate's standard certificate. All performance evaluations shall be aligned with the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4 and reported on State-developed forms. The mentor shall discuss each evaluation with the candidate, and the mentor and candidate shall sign each report. Upon completion of each evaluation, the mentor shall send the report to the Department; the final evaluation shall be accompanied by the recommendation for certification pursuant to (j) below.
- (h) Each mentor shall form an advisory panel of practicing educators and shall convene this panel on at least three occasions for purposes of reviewing the candidate's progress and soliciting advice concerning the candidate's certification. The mentor may seek the informal input of the employing district board of education concerning the candidate's standard certification.
- (i) The Department may require the candidate to pay fees to the program provider to cover the cost of the training and mentoring services that will qualify him or her for certification and employment.
- (j) A candidate for a standard certificate with a school administrator endorsement shall be approved or disapproved pursuant to the following procedures:
 1. Before the end of the residency period, the mentor shall submit to the Department a comprehensive evaluation report on the candidate's performance pursuant to (g) above.
 2. This final report shall include one of the following certification recommendations:

- i. Approved: Recommends issuance of a standard certificate;
 - ii. Insufficient: Recommends a standard certificate not be issued, but the candidate be allowed to continue the residency or seek admission to another residency for one additional year; or
 - iii. Disapproved: Recommends a standard certificate not be issued and the candidate who is disapproved shall be prevented from continuing or re-entering a residency.
 3. Mentors act as agents of the Board of Examiners in formulating their certification recommendations, which shall not be subject to review or approval by district boards of education.
 4. Candidates who receive an “approved” recommendation shall be issued a standard certificate.
 5. The mentor shall provide the candidate with a copy of the candidate’s written evaluation report and recommendation before submitting it to the Department.
 6. If the candidate disagrees with the mentor’s recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9B-4.13.
- (k) A candidate who receives a “disapproved” recommendation or two or more “insufficient” recommendations may appeal to the Board of Examiners pursuant to N.J.A.C. 6A:9B-4.13.
- (l) An experienced New Jersey principal who holds a master’s degree or higher in a field not in (a)1 above may satisfy the degree requirement by meeting the requirements in (a)4 above and by presenting the following:
1. A valid, standard New Jersey principal endorsement; and
 2. Official documentation of five years of successful full-time experience as a principal or assistant superintendent of curriculum and instruction in a New Jersey public school or in an approved nonpublic school.

(m) Other provisions of this chapter notwithstanding, the Board of Examiners shall issue a CE, a provisional certificate, and a standard certificate for school administrator to a candidate for appointment as chief school administrator in a school district in which the State appoints the chief school administrator.

1. The Commissioner shall direct the Board of Examiners to issue a CE to the candidate if he or she:
 - i. Possesses a bachelor's or higher degree from a regionally accredited four-year college or university;
 - ii. Has sufficient management and executive leadership experience in a public or private organization, as determined by the Commissioner, to allow the candidate to successfully administer the State-operated school district. The candidate shall document his or her experience in alignment with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4. The Commissioner will align his or her review of the candidate's documented experience with the Professional Standards for School Leaders and will base judgment of the candidate's relevant experience on the review; and
 - iii. Passes a criminal history review prior to issuance of the CE.
2. The Board of Examiners shall issue a provisional certificate to the candidate meeting the criteria in (m)1 above upon the candidate's appointment by the State Board as State-operated school district superintendent pursuant to N.J.S.A. 18A:7A-35.
3. The Board of Examiners shall issue a standard certificate to the candidate if he or she:
 - i. Has successfully completed a residency per (e) through (i) above;

- ii. Has successfully passed two formative performance reviews and one summative performance review by the Department on a schedule to be set by the Department. The performance reviews shall be based in part upon a portfolio prepared by the candidate that documents his or her experience in the superintendent position as aligned with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4; and
 - iii. Has passed a Department-approved assessment for school administrators.
- (n) Other provisions of this chapter notwithstanding, there is hereby established a five-year pilot program under which the Board of Examiners shall issue a CE, a provisional certificate, and a standard certificate for school administrator to a successful candidate for appointment as chief school administrator.
- 1. Such certifications may be issued and appointments may be made in a school district listed as a school district in need of improvement on the Department's Annual Yearly Progress report as of July 13, 2011.
 - 2. School districts satisfying the criteria in (n)1 above may request permission from the Commissioner to recruit candidates for chief school administrator according to the criteria in (n)3 below.
 - 3. The Commissioner shall direct the Board of Examiners to issue a CE to the candidate if he or she:
 - i. Possesses a bachelor's or higher degree from a regionally accredited four-year college or university;
 - ii. Has sufficient management and executive leadership experience in a public or private organization, as determined by the Commissioner, to allow the candidate to successfully administer the State-operated school district. The candidate shall document his or her experience in alignment with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4.

The Commissioner will align his or her review of the candidate's documented experience with the Professional Standards for School Leaders and will base judgment of the candidate's relevant experience on the review; and

- iii. Passes a criminal history review prior to issuance of the CE.
4. The Board of Examiners shall issue a provisional certificate to the candidate meeting the criteria in (n)3 above upon his or her hiring as a chief school administrator pursuant to N.J.S.A. 18A:17-15.
5. The Board of Examiners shall issue a standard certificate to the candidate if he or she:
 - i. Has successfully completed a residency per (e) through (i) above;
 - ii. Has successfully passed two formative performance reviews and one summative performance review by the Department on a schedule to be set by the Department. The performance reviews shall be based in part upon a portfolio prepared by the candidate that documents his or her experience in the superintendent position as aligned with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4; and
 - iii. Has passed a Department-approved assessment for school administrators aligned with the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4.
6. The Department will develop and conduct an evaluation for the pilot program and present an evaluation report to the State Board. In doing so, the Department may make use of outside evaluation specialists. In its conclusions, the Department will recommend whether to continue and, if so, whether to amend the pilot program as a permanent alternate route to certification.

6A:9B-12.5 Principal

- (a) To be eligible for the principal CE, the candidate shall:
1. Complete one of the following:
 - i. Hold a master's or higher degree in educational leadership, in curriculum and instruction, or in one of the recognized fields of leadership or management from a regionally accredited college or university;
 - ii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program resulting in a CEAS in educational administration and supervision;
 - iii. Hold a master's degree from a regionally accredited college or university and complete a post-master's program in a coherent sequence of 30 semester-hour credits as they appear on the candidate's transcript. The study must be completed at one institution in fields outlined in (a)1i above; or
 - iv. Hold a master's degree from an appropriate nationally accredited program in educational leadership from an out-of-State college or university;
 2. Complete a minimum of 30 graduate credits, either within the master's program or in addition to it, aligned with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4[(a)1 through 6];
 3. Complete a 300-hour internship in educational leadership aligned to the Professional Standards for School Leaders in N.J.A.C. 6A:9-3.4 and in accordance with the roles and responsibilities as a principal, independent of other course requirements. This internship either must appear on a transcript from a four-year regionally accredited college or university or be certified by a Commissioner-approved program for preparing school principals;

4. Pass a State-approved examination of knowledge acquired through study of the topics listed in (a)2 above and most directly related to the functions of principals as defined in N.J.A.C. 6A:9B-12.3(b); and
 5. Complete five years of successful educational experience under a valid provisional or standard New Jersey or equivalent out-of-State certificate.
- (b) A candidate who matriculates and enrolls in a Commissioner-approved educational leadership preparation program on or after September 1, 2008, shall be required to complete all requirements of (a) above.
- (c) To be eligible for a provisional principal certificate, the candidate shall:
1. Hold a principal CE; and
 2. Obtain and accept an offer of employment in a position requiring the principal endorsement in a school or school district that has agreed formally to sponsor the residency.
- (d) The effective date of provisional certificate issuance shall be the date on which the CE holder begins employment with the district board of education in a certificated position in accordance with N.J.S.A. 18A:26-2 and 18A:27-4a.
- (e) The Commissioner-approved principal residency program provider shall notify the Office that a principal is eligible for the standard administrative certificate with a principal endorsement when the candidate:
1. Possesses a provisional certificate pursuant to (a) and (b) above;
 2. Completes a two-year Commissioner-approved residency program while employed under provisional principal certification in a school or school district. The residency may be extended for medical or family leave and upon agreement by the Department and the employing school or school district. However, the Commissioner is authorized to reduce or remove the residency requirement based on the candidate's prior experience. The Commissioner-approved program

provider selected by the employing school or school district shall implement the residency program, which shall:

- i. Take place in a school or school district;
- ii. Provide professional experiences, training, mentoring, instruction, opportunities to network with other candidates and experienced principals, and specific training on the school's or school district's educator evaluation systems and develop the candidate's thorough understanding of the NJSLS; the Professional Standards for Teachers as defined in N.J.A.C. 6A:9-3.3; and the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4;
- iii. Ensure the employing school or school district, the candidate, the residency mentor and the provider enter into a standard Department-issued agreement prior to the candidate starting the residency program;
- iv. Provide a State-approved mentor who meets the requirements in (f) below and who shall:
 - (1) Supervise and verify the candidate's completion of all required experiences and training;
 - (2) Meet with the principal candidate at least once a month during the residency. The mentor shall be available on a regular basis to provide assistance or advice upon the candidate's request;
 - (3) Provide confidential guidance and support;
 - (4) Guide the candidate through a self-assessment based on the employing school district's Commissioner-approved principal evaluation practice instrument;

- (5) Consult with the principal candidate's direct supervisor in development of the principal candidate's individualized mentoring plan; and
 - (6) Not serve as the candidate's direct supervisor or conduct the candidate's evaluation;
 - v. Provide support based on an individualized mentoring plan developed collaboratively by the mentor, the candidate, and the candidate's supervisor. The mentoring plan shall take the place of the individualized professional development plan, as set forth in N.J.A.C. 6A:9C-3, during the residency period and shall be individualized based on the candidate's preparation, past work experience, and the unique leadership demands of the employing school or school district. Support for the candidate in the following areas shall be considered in developing the individualized plan: curriculum leadership; supervision of instruction; pupil personnel services; personnel management; community relations; student relations; facilities management; school finance; school law; technical administrative skills; and professional development; and
 - 3. Is reviewed by his or her mentor pursuant to (g) below and is recommended for the standard certificate pursuant to (i) below.
- (f) The mentor from the program provider shall:
- 1. Have a minimum of three years' experience as an effective principal. For principals practicing in New Jersey starting in academic year 2013-2014 and each year thereafter, "effective" means the principal receives a summative rating of effective or highly effective pursuant to N.J.A.C. 6A:10-5;
 - 2. Have been engaged in New Jersey public schools for at least three of the last five years; and

3. Complete a State-approved mentor training program prior to mentoring a candidate.
- (g) The Commissioner-approved program provider shall base the candidate's recommendation for the standard administrative certificate with a principal endorsement on at least three reviews conducted by the mentor throughout each year during the two-year residency. The first five reviews shall be conducted mainly for diagnostic purposes. The final review shall be the basis for issuance of the candidate's standard certificate, aligned with the Professional Standards for School Leaders as defined in N.J.A.C. 6A:9-3.4, and informed by the candidate's performance on all prior reviews. The Commissioner-approved program provider shall ensure the principal candidate's direct supervisor is consulted regarding the candidate's performance prior to submitting the principal candidate's final review. The Commissioner-approved program provider shall submit the final review to the Department through a State-developed form.
- (h) The Department may require a candidate to pay fees to cover the cost of the training and mentoring services that will qualify him or her for certification and employment.
- (i) The Commissioner-approved program provider shall recommend for approval or disapproval principal candidates for certification pursuant to the following procedures:
1. The Commissioner-approved program provider shall submit to the Office a comprehensive final report on the candidate's performance pursuant to (g) above.
 2. This final report shall include one of the following certification recommendations:
 - i. Approved: Recommends issuance of a standard certificate;
 - ii. Insufficient: Recommends a standard certificate not be issued, but the candidate be allowed to continue the residency or seek admission to another residency for two additional years; or

- iii. Disapproved: Recommends a standard certificate not be issued and the candidate who is disapproved shall be prevented from continuing or re-entering a residency.
 3. Candidates who receive a recommendation of “approved” shall be issued a standard certificate.
 4. The Commissioner-approved program provider shall provide the candidate with a copy of the candidate’s written evaluation report and recommendation before submitting it to the Department.
 5. If the candidate disagrees with the Commissioner-approved program provider’s recommendation, the candidate may appeal the recommendation pursuant to N.J.A.C. 6A:9B-4.13.
- (j) A candidate who receives a “disapproved” recommendation or two or more “insufficient” recommendations may appeal to the Board of Examiners pursuant to N.J.A.C. 6A:9B-4.13.
- (k) Each candidate who holds a valid New Jersey or out-of-State supervisor endorsement and a master's degree or higher in a field other than one required in (a)1 above will be eligible for a principal CE by presenting official documentation of the following:
 1. Five years of successful full-time experience as a supervisor of an instructional area or department related to the NJSLS under a valid New Jersey or out-of-State supervisor certificate;
 2. Completion of a Commissioner-approved certification program in educational leadership offered by a Commissioner-approved provider. The program shall include, but not be limited to:
 - i. Preparation for educational leadership through experiences related to the performance-based Professional Standards for School Leaders and the NJSLS;

- ii. Two hundred twenty-five clock hours of formal instruction in quality components of preparation to promote student learning as set forth in N.J.A.C. 6A:9-3.4[(a)1 through 6] and delineated in (a)2i through vi above; and
 - iii. A school district internship consisting of a minimum of 300 hours providing professional experiences in school administration; and
3. Passage of a State-approved examination of knowledge acquired through study aligned with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4[(a)1 through 6] and directly related to the functions of principals as defined in N.J.A.C. 6A:9B-12.3(b).
- (l) Each candidate who holds a valid New Jersey or out-of-State supervisor endorsement and a master's degree or higher in a field not required in (a)1 above, but has zero to five years' supervisory experience, will be eligible for a principal CE by presenting official documentation of the following:
- 1. Five years of successful full-time teaching experience under a valid New Jersey or out-of-State teaching certificate;
 - 2. Completion of a Commissioner-approved certification program in educational leadership offered by a Commissioner-approved provider. The program is pursuant to (k)2 above with the following exceptions: the program shall be a minimum of 275 clock hours plus a 300-hour internship; and
 - 3. Passage of a State-approved examination of knowledge acquired through study aligned with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4[(a)1 through 6] and directly related to the functions of principals as defined in N.J.A.C. 6A:9B-12.3(b).
- (m) Each candidate who can provide documentation of at least five years of successful full-time teaching experience under a valid New Jersey or out-of-State teaching certificate

and a master's degree or higher in a field other than one required in (a)1 above will be eligible for a principal CE by presenting official documentation of the following:

1. Completion of a Commissioner-approved certification program in educational leadership offered by a Commissioner-approved provider. The program is pursuant to (k)2 above with the following exceptions: the program shall be a minimum of 350 clock hours plus a 300-hour internship; and
2. Passage of a State-approved examination of knowledge acquired through study aligned with the Professional Standards for School Leaders set forth in N.J.A.C. 6A:9-3.4[(a)1 through 6] and directly related to the functions of principals as defined in N.J.A.C. 6A:9B-12.3(b).

N.J.A.C. 6A:11, CHARTER SCHOOLS

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CHAPTER 11. CHARTER SCHOOLS

SUBCHAPTER 4. PROGRAM IMPLEMENTATION

[6A:11-4.12 Equity in education]

[A charter school shall comply with all applicable laws and regulations governing equity in education including, but not limited to: N.J.S.A. 18A:36-20; N.J.S.A. 10:5-1 et seq.; N.J.A.C. 6A:7, Managing for Equality and Equity in Education; Titles VI and VII of the Civil Rights Act of 1964 at 42 U.S.C. §§ 2000d et seq. and 2000e et seq., respectively; Title IX of the Education Amendments of 1972 at 20 U.S.C. §§ 1681 et seq.; Section 504 of the Rehabilitation Act of 1973 at 29 U.S.C. § 792; the Americans with Disabilities Act of 1990 at 42 U.S.C. §§ 12101 et seq.; and the Individuals with Disabilities Education Act of 2004 at 20 U.S.C. §§ 1400 et seq., and 34 C.F.R. 300 et seq.]

[6A:11-4.13 Financial operations of a charter school]

[A charter school shall be subject to the provisions of N.J.A.C. 6A:23A, Fiscal Accountability, Efficiency and Budgeting Procedures.]

6A:11-[4.14]4.12 Charter school operations

- (a) A charter school shall operate in accordance with its charter and the provisions of law and regulation that govern other public schools.
- (b) The board of trustees of a charter school may request that the Commissioner exempt the school from State regulations concerning public schools, except those pertaining to

assessment, testing, civil rights, and student health and safety, if the board of trustees satisfactorily demonstrates to the Commissioner that the exemption will advance the educational goals and objectives of the school.

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CHAPTER 32. SCHOOL DISTRICT OPERATIONS

SUBCHAPTER 11. WITHDRAWAL FROM REGIONAL SCHOOL DISTRICTS

[6A:32-11.6 Staff tenure and seniority rights]

[Staff affected by the withdrawal of the school district shall be entitled to exercise tenure and seniority rights in accordance with *Staagard v. Contini et al.*, 97 N.J.A.R. 2d (EDU) 271, aff'd State Board, October 1, 1997, and *Allen et al. v. Board of Education of the Township of Clark, Union County*, decided by the Commissioner April 30, 2004, aff'd State Board, September 1, 2004.]

SUBCHAPTER 12. STUDENT BEHAVIOR

[6A:32-12.2 Guidance and counseling]

[The school district shall provide all students with a board-approved program of guidance and counseling services.]